

## REMARKS

Claims 1 to 17 are pending in the present application as originally filed. The Examiner's Office Action only recognizes claims 1-15. Applicant respectfully request Examiner examine claims 16 and 17.

Claims 1, 7 and 11 have been objected to. Accordingly, claims 1, 7 and 11 are herewith amended to overcome the objections. The Examiner also objected to informalities in the specification. An amended specification is herewith submitted to overcome the objection. The amendments add no new matter. Examiner also objects to the drawings. Substitute drawings are submitted herewith to overcome the objection.

The Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph as being indefinite for failure to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended claim 1 to overcome this objection. The clarification of claim 1 is supported by the originally filed application in e.g., Figs 2 and 3.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1 under 35 U.S.C. 112, second paragraph, as indefinite.

The examiner rejected claims 1 to 15 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 5,953,248 to Chen, et al. Applicant repeats request for Examiner to examine claims 16 and 17 as previously filed. In addition to the argument set forth below, claims 7 and 11 have been amended to overcome this rejection. The amendments add no new matter. Applicants respectfully traverse this rejection.

A reference must teach or suggest all elements of a claim to anticipate the claim. Applicants disclose and claim a multivalue magnetoresistive read/write memory and a method for writing to and reading from same, comprising, *inter alia*: a magnetoresistive read/write memory, with a plurality of multivalue storage cells, each storage cell having two intersecting electric conductors and a layer system comprising magnetic layers located at the intersection of said electric conductors, wherein said layer system is designed as a multilayer system with two or more magnetic layers, at least two, but a maximum of all said magnetic layers having a magnetization direction in that can be set independently of one another, said magnetization direction in an individual layer of said magnetic layers being changed by the electric current flowing through said electric conductors, and further comprising in each case a tunnel dielectric between each two magnetic layers that are next to each other, and wherein

said two or more magnetic layers of the multivalue storage cell are sandwiched between two intersecting electric conductors.

Chin discloses a magnetic tunneling junction memory cell wherein one electric conductor is sandwiched between each pair of two magnetic layers. Contrary thereto, the present invention discloses and claims a multivalue storage cell, wherein two or more magnetic layers of the multivalue storage cell are sandwiched between said two intersecting electric conductors. Thus, the in the claimed invention, the electric conductors are located on top and on the bottom, respectively, of the two or more magnetic layers of the multivalue storage cell. Thus, claim 1 as amended contains elements or limitations beyond the cited reference and is therefore allowable.

Claims 2-6 contain additional elements or limitations beyond allowable claim 1 and are also allowable.

Claims 7-10 contain additional elements or limitations beyond allowable claim 1 and are also allowable.

Claims 11-17 contain additional elements or limitations beyond allowable claim 1 and are also allowable.

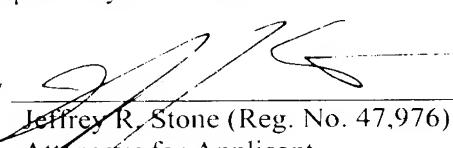
Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-15 under 35 U.S.C. 102(e) as anticipated.

In view of Applicant's amendments and remarks, the claims as amended are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue is respectfully requested. If any fees not accounted for above are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 02-3732.

Respectfully submitted,

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By

  
Jeffrey R. Stone (Reg. No. 47,976)  
Attorneys for Applicant  
BRIGGS & MORGAN, P.A.  
2400 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
(612) 334-8560